

November 06, 2023

Ohio Carpenters Pension Whistleblower
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Honorable Judge Victor Marrero
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CASE NO. 1:19-CV-02601-VM-SN DOCUMENT 419 FILED 10-30-23 PG 24 of 33 PRO SE FILING

Honorable Judge Victor Marrero,

Scott&Scott Attorneys at Law filed the CASE 1:19-02601-VM-SN IN RE: EUROPEAN GOVERNMENT BONDS ANTITRUST LITIGATION 03/22/2019 representing the OHIO CARPENTERS PENSION PLAN FUND. NATURE OF SUIT 410 ANTI-TRUST, CAUSE: 15:1 Antitrust Litigation (Monopolizing Trade). Amanda F. Lawrence, Scott&Scott attorney of record. Not until the FOURTH AMENDED COMPLAINT, STATE STREET CORPORATION was named a defendant, filed 2/9/2021. The EUROPEAN regulators declared STATE STREET CORPORATION Involvement early in the investigation, 2019. SEE DOCUMENT 209 FILED 6/15/2021, ITEM 23. Plaintiffs moved for Preliminary Approval of the DISMISSAL SETTLEMENT, JUNE 15, 2021. The following day, THE COURT granted preliminary approval on June 16, 2021, ECF 212. CO-LEAD counsel expedited the DISMISSAL SETTLEMENT with SSC that offered NO RELIEF to the OHIO CARPENTERS PENSION PLAN. No recovery, no restitution, no accountability.

CASE 1:19-CV-02601-VM-SN, DOCUMENT 419, FILED 10/30/2023, PG. 24 OF 33, DECLARES STATE STREET CORPORATION played a critical role as the "ICE-BREAKER" for settlement in this multi-party action and helped "bring other defendants to the point of serious negotiation". Co-Lead Counsel spent considerable time engaging in HARD FOUGHT, ARM'S LENGTH NEGOTIATIONS with STATE STREET. SEE DOCUMENT 423 PG.22 OF 27. CO-LEAD COUNSEL were primarily responsible for developing and executing the case strategy and were assisted by their fellow partners and associates at their respective firms. SEE PG. 23 OF 27, item 87. STATE STREET was mandated to cooperate with any and all federal securities fraud investigations, domestic and foreign, under the DOJ DEFERRED PROSECUTION AGREEMENT, so the dismissal for cooperation is MOOT! The DOJ US ATTORNEYS OFFICE NOTICE dated May13, 2021 indicated State Street Corporation acknowledged that it defrauded its clients out of more than \$290 Million, thru a deceitful scheme that was in practice for 17 years. State Street paid a \$115 Million criminal penalty on the \$290 Million fraud. State Street was Investment Custodian to the OCPPFund from 2004-2019. NATWEST cooperated with EUROPEAN REGULATORS well before State Street Corporation cooperation.

SEE CASE 1:21-cv-10863-MLW DOCUMENT 1 FILED 05/25/21, PAGE 64 of 65. Amanda F. Lawrence, Scott&Scott Attorneys at Law LLP, filed for the Plaintiffs, Elizabeth Gomes et al. in the UNITED STATES DISTRICT COURT OF MASSACHUSETTS. The plaintiffs are participants in the STATE STREET SALARY SAVINGS PROGRAM and allege that STATE STREET CORPORATION'S self-dealing at the expense of it's own workers' retirement savings violated fiduciary duties. Plaintiffs allege defendants enriched themselves at the expense of their own employees. This is a civil enforcement action under ERISA. Defendants also breached their fiduciary duties by failing to monitor Plan's fees. This case was

filed 05/25/21, one month prior to PRELIMINARY APPROVAL of DISMISSAL SETTLEMENT with STATE STREET by Ohio Carpenters Union Trustees and Scott&Scott Attorneys in the EGBA LITIGATION.

Scott&Scott Attorneys began representing State Street Corporation high ranking corporate Executives in Retirement Litigation against their employer at the SAME TIME Representing the Ohio Carpenters Pension Plan Fund Member Participants in Antitrust Litigation. The two separate Plaintiff classes vs. the same Defendant, State Street Corporation have ADVERSE INTERESTS in their respective Cases. The obvious CONFLICT OF INTEREST by Scott&Scott Attorneys is alarming and confounding. This situation is extremely troubling. Why was the DISMISSAL SETTLEMENT NECESSARY with NO RELIEF from the State Street Investment Custodian to the Ohio Carpenters Union Pension Members? The expedited settlement caused severe financial harm to Plan Participants in the EUROPEAN GOVERNMENT BONDS ANTITRUST LITIGATION? CO-LEAD COUNSEL argue that the less than 1% involvement by State Street was insignificant in the EGBA LITIGATION. 1% of the estimated \$8Trillion EUROPEAN BONDS MARKET equaled an estimated \$80Billion. This amount may be insignificant to bankers and lawyers, but I assure you, \$80Billion is significant to retired carpenters. Personally, I receive a monthly benefit of \$1306.00!

Pamela Scott Carpenter is a plaintiff member of the Class in GOMES V. STATE STREET CORPORATION. Ms. Carpenter held an executive position as VICE PRESIDENT from 2016 to present, managed a team of 21 employees including Asst. V.P., OFFICERS, and Associates. She oversaw the teams daily custody and accounting responsibilities, provided investment servicing solutions and accounting procedures. Steven Peters is a plaintiff in the GOMES V. STATE STREET LITIGATION. Mr. Peters had been with STATE STREET 22 years, 7 months. Mr. Peters held the position of V.P. from April 2016-June 2019 and Asst. V.P. from April 2008-April 2016. The EUROPEAN GOVERNMENT BONDS ANTITRUST LITIGATION relevant period includes 2007-2012. Zhanna Karp was an account manager at STATE STREET. These individuals may have been managing the Ohio Carpenters Pension Plan Fund accounts in 2015-2019 when the FUND LOST \$334 MILLION of Plan Assets during a period of S&P 500 INDEX INCREASED RATE OF RETURN on investments. During this period STATE STREET FAILED to generate a positive rate of return on Ohio Carpenters Investments. Year 2019 was the last year State Street performed the duties of Investment Custodian since 2004. See DOL 5500 REPORTS for verification and confirmation of monetary amounts. The OCPPFund remains in CRITICAL STATUS financially. The Southwest Ohio Carpenters lost 18% of their pension benefits with an underfunded Plan, 59% funded. The Ohio Carpenters Fund is only 60% funded, in CRITICAL STATUS.

The Multi-Employer Defined Benefit Pension Plan Assets for current Investments originated with my wage contributions to the plan when I worked for two decades in the Carpenters Trade as a member of local 171, Youngstown, Ohio, commencing in 1977. The pension assets represent the pension participants deferred wages income from days of service with signatory contractors deposited into the FUND ACCOUNT and invested for future benefits upon retirement. The signatory contractors sign contracts with the union locals, District councils, and International. The CO-LEAD notion that I am not a class member is ludicrous. The Investment Custodian of the Plan invests the assets and manages the Fund on Our BEHALF at the behest of trustees. Half of the trustees are union carpenters representatives, half are actually employer contractors. The trustees work for the membership participants in their decision making process for investments according to ERISA LAW and FIDUCIARY COMPLIANCE. The primary responsibility of fiduciaries is to run the plan solely in the interest of participants and beneficiaries and for the exclusive purpose of providing benefits and paying expenses. They must avoid conflicts of interest. They must maintain the solvency of the Plan. I am a member of the SETTLEMENT CLASS. I have standing in the litigation.

Again, I take issue with the representation of Scott&Scott Attorneys at Law in the EUROPEAN GOVERNMENT BOND ANTITRUST LITIGATION, and OBJECT to the DISMISSAL SETTLEMENT with State Street Corporation. Scott&Scott Attorneys represent the OHIO CARPENTERS PENSION Plan members v. STATE STREET CORPORATION, our Investment Custodian from 2004-2019. Scott&Scott Attorneys negotiated a DISMISSAL SETTLEMENT with STATE STREET with NO RELIEF for financial

damages. The OHIO CARPENTERS receive NOTHING from STATE STREET. The move for preliminary approval of the DISMISSAL SETTLEMENT was filed 6-15-2021. The COURT GRANTED preliminary approval the next day, 6-16-2021.

DOCUMENT 423-1, FILED 10/30/23, CO-LEAD COUNSEL addressed billable hours. Scott&Scott Attorneys have billed 5,463.1 total hours for a total Lodestar at hourly rates of \$4,583,181.00. They received NO RELIEF for Ohio Carpenters in the Dismissal Settlement with State Street. Attorney Amanda Lawrence, a Scott&Scott Attorney, worked 47.20 billable hours at \$1,095 per hour for a total billable amount of \$51,684 per court documents in the EGBA LITIGATION, relevant period thru May 16, 2023. Ms. Lawrence earned income for Scott&Scott Attorneys at Law while also representing STATE STREET CORPORATION EXECUTIVES. On 5-25-2021, one month prior to the filing of preliminary approval of the DISMISSAL SETTLEMENT with STATE STREET in the EUROPEAN GOVERNMENT BONDS ANTITRUST LITIGATION, Ms. Lawrence filed CASE 1:21-CV-10863-MLW DOCUMENT 1 IN THE UNITED STATES DISTRICT COURT OF MASSACHUSETTS. GOMES V. STATE STREET CORPORATION is about a company's self dealing at the expense of it's own worker's retirement savings. Defendants were required by ERISA of 1974, as amended ERISA, 29 U.S.C.&1001, to act solely in the interest of the Plan's participants and beneficiaries. This class in GOMES consists of STATE STREET CORPORATION EXECUTIVES, past and present.

The appearance of conflict of interest is stunning. Can an attorney perform due diligence working in the best interest of two separate retirement plan plaintiffs at the same time vs. the same defendant. I think not! They failed to name SSC as a defendant until the FOURTH AMENDED COMPLAINT. Then there appeared to be a rush to settle the EGBA LITIGATION concerning the Ohio Carpenters and State Street. The DISMISSAL SETTLEMENT outcome with NO RELIEF for the Ohio Carpenters Pension Plan is confounding!

I, Terrence J Hackett, have been a SEC WHISTLEBLOWER since 2014 on all issues of State Street Corporation criminal fraud on investment custody clients per DOJ, US ATTORNEYS, MASSACHUSETTS \$115 MILLION SETTLEMENT, dated May 13, 2021, and alleged financial custody fraud on the OHIO CARPENTERS PENSION PLAN Fund, 2015 thru 2019. To ALL PARTIES: First and foremost Scott&Scott Attorneys at Law LLP have shown intimidation and retaliation conduct and behavior against me for my OBJECTION to the DISMISSAL SETTLEMENT with STATE STREET CORPORATION in the EUROPEAN GOVERNMENT BONDS ANTITRUST LITIGATION. They have requested that the COURT BARR and FORECLOSE on my ability to file future litigation vs. STATE STREET, THE OHIO CARPENTERS, SCOTT & SCOTT or any other party to the LITIGATION that I believe may be responsible. Terrence J Hackett "shall be forever barred and foreclosed from objecting to the fairness, reasonableness, or adequacy" of the dismissal settlement "in this or any other proceeding". The co-lead counsel continue to declare in COURT DOCUMENTS that I am not a class member and have no standing to object in the litigation. If I am not a class member, who with the Ohio Carpenters Pension Plan is a class member? I have been a participating member in the pension fund since 1977. I should NOT be barred from filing future litigation for alleged malpractice, breach of fiduciary duty, or ERISA VIOLATIONS, by the COURT at the request of CO-LEAD COUNSEL.

THE COURT must overrule the DISMISSAL SETTLEMENT that provides NO RELIEF for Ohio Carpenters from STATE STREET CORPORATION. Thank you Honorable Judge Marrero.

Sincerely,

Terrence J Hackett

November 02, 2023

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CASE NO. 1:19-CV-2601-VM-SN DOCUMENT 423-6 FILED 10/30/23 OBJECTION TO SETTLEMENT

Honorable Judge Victor Marrero,

Please refer to ITEM 26, Page 10 of 27 in the above stated court documents. I, Terrence J Hackett, take issue with the false claims that I'm not a member of the CLASS and thus lack standing to object to the State Street Settlement. The DISMISSAL SETTLEMENT offers NO RELIEF to the pension participants of the OHIO CARPENTERS. NO RECOVERY OF ASSETS, NO DISGORGEMENT, NO RESTITUTION, NO SANCTION, NO FINE. The dismissal is not fair, reasonable nor adequate to the settlement class. This statement by Co-Lead Counsel is inaccurate and must be clarified in the public COURT DOCUMENTS. See letter to the Honorable Judge Victor Marrero dated December 07, 2022. The first paragraph addresses my membership in the OHIO CARPENTERS PENSION PLAN FUND, Plaintiff in this litigation. I am a retired carpenter pension recipient collecting a monthly benefit from the OCPPFund for years of service as a member of Local 171, Youngstown, Ohio. The pension assets are OUR INVESTMENTS. SEE ATTACHED

I have a second issue with the COURT proceedings. Scott-Scott Attorneys at Law represent the OHIO CARPENTERS PENSION PLAN, plaintiff in the EUROPEAN GOVERNMENT BONDS ANTITRUST LITIGATION, VS. STATE STREET CORPORATION, Investment Custodian to the OCPPFund until 2019. At the same time Scott-Scott represents plaintiffs, State Street Employees, in the class action lawsuit GOMES, et al vs. STATE STREET CORPORATION. Scott -Scott Attorneys negotiated a DISMISSAL SETTLEMENT with NO RELIEF in the EGBA LITIGATION for the Ohio Carpenters while litigation against STATE STREET CORPORATION in GOMES is pending in a negotiation stage. How does a law firm ethically represent the best interest of all parties in this situation? The appearance of conflict of interest is alarming. I continue to object to the DISMISSAL SETTLEMENT! Thank you.

Sincerely,

Terrence J Hackett

CC;

SENATOR SHERROD BROWN, Senate Banking Committee
Kristen M. Anderson, Scott&Scott Attorneys at Law LLP

December 07, 2022

COPY SUBMITTED TO DOJ 09-26-2023

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In re EUROPEAN Government Bonds Antitrust Litigation, Case No. 1:19-CV-2601 (SDNY) OBJECTION TO SETTLEMENT with State Street Corp. & State Street Bank and Trust Company

Honorable Judge Victor Marrero,

To All Parties; please be advised that as a participating pension benefit recipient of the Ohio Carpenters Pension Plan Fund, I object to the negotiated Stipulation of Dismissal Agreement between the OCPPF, their plaintiff legal representatives, and State Street Corporation in the EUROPEAN Bond Class Action Litigation currently in the SDNY FEDERAL COURT. In light of the financial harm suffered by the pension participants thru the years, the dismissal is not fair, reasonable, nor adequate to the settlement class. The settlement doesn't serve the best interest of the class. State Street Corp. and State Street Bank and Trust must be held accountable for the alleged fraud on the OCPPF members. IRS FORM 1099-R serves as certification that Terrence J Hackett is a member of the class. SEE ATTACHED

Document 209 Filed 6-15-21 Item 23 indicates that on 2-9-21, Plaintiffs filed the FAC, which included allegations based on cooperation material provided by State Street ECF NO. 146. It addresses plaintiff allegations of collusive practices among defendant traders in furtherance of a conspiracy to fix prices on EUROPEAN Government Bonds. State Street was named as a DEFENDANT. SEE ATTACHED DOC. 209. State Street Corp. has avoided accountability and culpability on recidivist fraudulent behavior on investment custodial clients since 2000.

State Street is not entitled to preferential treatment and a dismissal settlement without any penalty, disgorgement, reimbursement, or accountability! State Street was mandated to cooperate in any fraudulent investigations as documented in the DEFERRED PROSECUTION AGREEMENT filed 5-13-2021. CASE 1: 21-cr-10153-PBS, DOCUMENT 1-2, page 5 of 52, FUTURE COOPERATION and DISCLOSURE REQUIREMENTS. The Dismissal Settlement with State Street Corp. and State Street Bank and Trust Company was filed 6-15-2021, more than one month later. What would possess the Ohio Carpenters Pension Plan Fund trustees and Administrator, and their plaintiff legal representation to settle after the fact that State Street was committed to the DPA and mandated by the DPA to cooperate in any investigation? The basis of their dismissal agreement is cooperation. SEE ATTACHED

The DOJ US Attorney's Office Notice dated May 13, 2021 indicated State Street Corporation acknowledged that it defrauded its clients out of more than \$290 million, through a deceitful scheme that was in practice for 17 years. State Street paid a \$115 million criminal penalty on a \$290 million fraud. State Street netted \$175 million on the admitted fraud. The BASE FINE per court documents based on USSG & 8C2.4(a)(3) is \$291,000,000. The CRIMINAL FINE RANGE AMOUNT is \$291 million to \$582 million. Why was State Street granted leniency in the monetary penalty? State Street entered into it's

second Deferred Prosecution Agreement in this time frame. SEE ATTACHED. The two DPA'S have not deterred State Street from fraudulent behavior. This problematic pattern of behavior must stop!

In July 2019 State Street actually netted \$81 million from alleged overcharges to clients that totaled over \$170 million. They paid a \$89 million penalty, but netted \$81 million. State Street Corporation earns multi-million dollars on their fraudulent conduct. SEE ATTACHED. State Street Corp. was a defendant in the Arkansas Teachers Retirement System Litigation, ten years in the court system. The case was filed 2-10-2011, with a recent date of last filing, 6-1-2021. Big Law firms billed and received \$75 million in excessive fees compared to \$200,000 per ERISA CLASS member share of settlement. The victim pension plans suffer the financial loss, forcing critical status to Plan solvency, and possible 60% loss of future monthly benefit amounts. Financial institutions must be held accountable for fraudulent conduct! Labaton was involved in that litigation also. In 2016 notice was sent to OCPP Fund members that benefit amounts would be revised and reduced. SEE ATTACHED

A Reuters article dated June 16, 2021 concerning this EUROPEAN Government Bond litigation states that Plaintiffs have said in court papers that State Street was unlikely to be liable for significant damages since holdings in 2012 represented less than 1% of \$8 trillion market share. \$80 billion may not be significant to Wall Street Institutions, but it actually is significant to the investment custodial clients of State Street Corporation. A dismissal settlement will result in ZERO accountability, ZERO penalty, ZERO fine, ZERO recovery. I object to the Dismissal Agreement!

I also object to the appointment of AB Data, Ltd. as Claims Administrator. AB Data, Ltd. was involved with administration and settlement in the ATRS Litigation Settlement. They failed to respond to my inquiry into the ERISA SETTLEMENT REQUEST dated January 13, 2019. SEE ATTACHED

SEE VIOLATION TRACKER for penalties State Street has rendered for alleged fraudulent behavior.

I have been researching State Street Bank in their capacity of Investment Custodian to the Carpenters Pension Plan Funds since 2010. I have been submitting evidentiary documentation to the Federal Regulators for seven years concerning the recidivist fraudulent behavior of State Street Corporation on Investment Custodial Clients. Both The OCPP Fund trustees and administrator, and State Street, as investment custodian of the OCPP Fund have breached their respective fiduciary duty to the pension plan members to protect the assets of the Fund for the benefit of member participants. Senator Sherrod Brown has made a commitment to assist us on these issues.

Refer once again to the DPA's. State Street Corporation was subject to A DEFERRED PROSECUTION AGREEMENT during The Clayton SEC, 2017-2021, under the Trump Administration. SEE ATTACHED CASE 1:21-cr-10153 Document 1-2 Filed 05/13/21. With focus on pages 1-4, State Street acknowledged that the allegations described in the Information and facts described in the Statement of Facts are true and accurate. The Company's criminal history consists of the prior deferred prosecution agreement with the USDOJ, FRAUD DIVISION dated January 17, 2017. Senator Brown has oversight capacity as Chair of the Senate Banking Committee, they can investigate the Securities and Exchange Commission, Office of the Whistleblower, and the Enforcement Division for the profound appearance of conflict of interest and alleged corruption in the State Street Bank & Trust investigation and settlement.

The Ohio Carpenters Pension Fund filed litigation IN RE: EUROPEAN GOVERNMENT BONDS ANTITRUST LITIGATION. See CASE 1:19-cv-02601-VM 07/23/20. OCPF Trustees and Administrators failed to name State Street Corporation as a defendant in the initial filing, 03/22/19. They failed to name them in an Amended complaint filed 06/13/19 also. Further investigation by the European Union provided evidence that State Street was a co-conspirator, and should be named as a co-defendant. SEE THE FOURTH AMENDED COMPLAINT FILED 02/09/21. STATE STREET BANK & TRUST was indeed included as a defendant. State Street Corporation was not exposed by US REGULATORY AGENCIES. The EUROPEAN REGULATORY AGENCIES exposed them as co-defendants in the financial fraud. State Street was named a co-conspirator, co-defendant following the departure of the CLAYTON SEC. State

Street Corporation was released from litigation and liability for co-operation in the case. OCPF TRUSTEES and Administrators breached their fiduciary duty to the pension participants when they agreed to the DISMISSAL SETTLEMENT. State Street paid \$0 fine. No sanction! No restitution! No recovery! No accountability! No consequences! SEE CASE 1:19-cv-02601-VM DOCUMENT 209 FILED 06/15/21 US DISTRICT COURT SDNY IN RE EUROPEAN GOVERNMENT BONDS ANTITRUST LITIGATION SETTLEMENT WITH STATE STREET CORP. & STATE STREET BANK AND TRUST COMPANY.

Thank you for your attention to these dire issues. Please deny the Stipulation Dismissal Agreement and hold State Street Corporation accountable!

Sincerely,

Terrence J. Hackett

CC;

SECURITIES AND EXCHANGE COMMISSION
SENATOR SHERROD BROWN, Senate Banking Committee
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